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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

| | | |
|---------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, |) | No. CR 11-00456 EJD |
| |) | |
| Plaintiff, |) | |
| |) | STIPULATION AND PROPOSED |
| v. |) | ORDER CONTINUING STATUS |
| |) | HEARING AND EXCLUDING TIME |
| SANFORD WALLACE, |) | UNDER THE SPEEDY TRIAL ACT |
| |) | |
| Defendant. |) | |
| |) | SAN JOSE VENUE |
| |) | |

The undersigned parties respectfully request that the status hearing currently scheduled for August 12, 2013 be continued to September 23, 2013. The reason for the continuance is that the government needs additional time to prepare a plea agreement, and afford defense counsel an opportunity to review the agreement and conduct any further investigation. In addition, the parties request an exclusion of time under the Speedy Trial Act from August 12, 2013 through September 23, 2013. The parties agree and stipulate that an exclusion of time is appropriate based on the defendant's need for effective preparation of counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

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STIPULATION AND ~~PROPOSED~~ ORDER
No. CR 11-00456 EJD

1 SO STIPULATED:

MELINDA HAAG
United States Attorney

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3 DATED: 8/8/13

_____/s/_____
SUSAN KNIGHT
Assistant United States Attorney

4
5 DATED: 8/8/13

_____/s/_____
K.C. MAXWELL
Counsel for Mr. Wallace

6
7
8 **ORDER**

9 Accordingly, for good cause shown, the Court HEREBY ORDERS that the status hearing
10 scheduled for August 12, 2013 is continued to September 23, 2013

11 The Court FURTHER ORDERS that time be excluded under the Speedy Trial Act from
12 August 12, 2013 through September 23, 2013. The Court finds, based on the aforementioned
13 reasons, that the ends of justice served by granting the requested continuance outweigh the best
14 interest of the public and the defendant in a speedy trial. The failure to grant the requested
15 continuance would deny defense counsel reasonable time necessary for effective preparation,
16 taking into account the exercise of due diligence, and would result in a miscarriage of justice.
17 The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. §§
18 3161(h)(7)(A) and (B)(iv).

19 SO ORDERED.

20
21 DATED: 8/8/2013



EDWARD J. DAVILA
United States District Judge